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FILED

April 12, 2004

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS
OAL DOCKET NO.:

IN THE MATTER OF THE SUSPENSION OR :
REVOCATION OF THE LICENSE OF :

Vincent Keith Jones, Y.D.
LICENSE NO. 25MA06827500

TO PRACTICE MEDICINE AND SURGERY :
IN THE STATE OF NEW JERSEY :

Administrative Action

CONSENT ORDER

This matter was opened to the State Board of Medical Examiners ("Board") upon receipt of a Complaint from patient R.E. alleging that Vincent Jones, M.D. ("Respondent") provided inadequate care and failed to diagnosis a ruptured appendix which resulted in the patient requiring not only an appendectomy but also the removal of portions of both the large and small intestines. The Board finds that Respondent engaged in acts violative of N.J.S.A. 45:1-21(c)(d) and (h) as evidenced by: 1) his inadequate maintenance of patient records; 2) his inadequate history of patient R.E. and 3) his incompetent treatment of patient R.E.; which lead to gross negligence placing R.E. in grave harm. Respondent, being desirous

CERTIFIED TRUE COPY

of resolving the within matter without formal proceedings and the Board finding the within disposition to be adequately protective of the public health, safety and welfare, it is, therefore, on this 12th day of *April*, 2004,

ORDERED THAT:

1. Respondent Vincent Keith Jones, M.D. is hereby reprimanded for acts violative of N.J.S.A. 45:1-21 (c)(d) and (h).

2. Respondent shall pay a penalty of Five Thousand Dollars (\$5,000.00) to the New Jersey State Board of Medical Examiners upon execution of the within Order. The Board reserves the right to file a Certificate of Debt in the event payment is not submitted in a timely manner.

3. Respondent shall enroll in and successfully complete a Board approved record keeping course within twelve months of the execution of this Order.

4. Respondent shall enroll in an and successfully complete a Board approved course pertaining to physical examinations specific to abdominal exams within one year of the execution of this Order.

5. Respondent shall comply with the attached "Directives" which are incorporated herein by reference.

APR. 6.2004 9:14AM

KERN AUGUSTINE

NO. 0677 P. 2/2

APR-1-2004 16:57 FROM: COMMUNITY FAMILY CAR 2766566854
MAR. 19. 2004 2:07PM KERN AUGUSTINE

TO: 19087048899 P. 1

NEU JERSEY STATE BOARD
OF MEDICAL EXAMINERS

By:


David M. Wallace, M.D.

President

I have read and understood
the within order and agree
to be bound by its terms.
Consent is hereby given to
the Board to enter this Order.

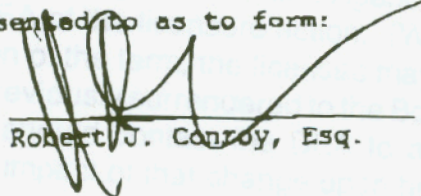

Vincent Keith Jones, M.D.

DATED:

4/1/04

Consented to as to form:

By:


Robert J. Conroy, Esq.

DATED:

4/5/04

A licensee whose license has been revoked, **suspended for one (1) year** or more or permanently surrendered **must** remove signs and take affirmative **action** to stop **advertisements** by which his/her eligibility to practice **is** represented. The licensee **must** also take steps to remove his/her **name** from professional listings, **telephone** directories, professional **stationery**, or billings. **If** the licensee's **name** is utilized in a group practice **title**, it **shall** be deleted. Prescription pads bearing the **licensee's** name **shall** be destroyed. A destruction report form obtained **from** the Office of Drug Control (973-504-6558) **must** be filed. **If** no other licensee **is** providing services at the location, all **medications** must be removed and returned to the manufacturer, **if** possible, destroyed or **safeguarded**. **(In situations where a license has been suspended for less than one year, prescription pads and medications need not be destroyed but must be secured in a locked place for safekeeping.)**

3. Practice Income Prohibitions/Divestiture of Equity Interest in Professional Service Corporations and Limited Liability Companies

A licensee shall not charge, receive or share in **any** fee for professional **services** rendered by him/herself or others while barred from engaging in the professional practice. The **licensee may** be compensated for the reasonable **value** of services **lawfully** rendered and disbursements incurred on a **patient's** behalf prior to the effective date of the **Board action**.

A licensee who is a **shareholder** in a professional **service** corporation organized to engage in the professional practice, whose **license** is revoked, surrendered or suspended for a term of **one (1) year** or more **shall** be deemed to be disqualified from the practice within the meaning of the Professional Service Corporation Act. (N.J.S.A. 14A:17-11). A **disqualified licensee shall** divest him/herself of **all** financial interest in the **professional service corporation pursuant to N.J.S.A. 14A:17-13(c)**. A licensee who is a **member** of a **limited liability company** organized pursuant to N.J.S.A. 42:1-44, **shall divest him/herself** of all **financial** interest. Such **divestiture** shall occur within 90 days following the the entry of the **Order** rendering the **licensee** disqualified to participate in the applicable form of ownership. Upon divestiture, a licensee shall forward to the Board a copy of documentation forwarded to the Secretary of State, **Commercial Reporting Division**, demonstrating that the **interest** has **been** terminated. **If** the licensee is the sole shareholder in a professional service corporation, the corporation must be dissolved within 90 days of the licensee's disqualification.

4. Medical Records

If, as a result of the Board's action, a practice is closed or transferred to another location, the licensee shall ensure **that** during the three (3) month period following the effective date of the **disciplinary** order, a **message will be delivered** to patients calling the former office premises, **advising** where records **may** be obtained. The message should inform patients of the names and telephone numbers of the **licensee** (or his/her attorney) assuming custody of the **records**. The **same** information **shall** also be **disseminated by** means of a notice to be **published** at least **once per month** for three (3) months in a newspaper of

general circulation in the geographic vicinity in which the practice was conducted. At the end of the three month period, the licensee shall file with **the Board** the name and telephone number of **the contact person** who will **have access to medical** records of former patients. Any change in that individual **or his/her** telephone **number** shall be promptly reported to **the Board**. **When** a patient **or his/her** representative requests a copy of **his/her** medical record **or** asks that record be forwarded to another health care provider, the licensee shall promptly provide the record without charge to **the patient**.

5. Probation/Monitoring Conditions

With **respect** to any licensee who **is the subject** of any Order imposing a probation **or monitoring requirement or a stay** of an active suspension, **in whole or in part**, which is conditioned upon compliance with a **probation or monitoring requirement**, the licensee shall fully cooperate **with the Board** and its designated representatives, including the Enforcement **Bureau** of the Division of **Consumer** Affairs, **in** ongoing monitoring of the **licensee's status and practice**. **Such** monitoring shall be at **the expense of the** disciplined practitioner.

(a) Monitoring of practice conditions may include, **but is not limited to**, inspection of the professional premises and equipment, **and** Inspection and **copying** of patient records (confidentiality of patient identity **shall be protected by the Board**) to **verify** compliance with the **Board Order and accepted standards of practice**.

(b) Monitoring of status conditions for an impaired practitioner **may** include, but **is not limited to**, practitioner cooperation in providing releases permitting unrestricted access to **records and** other information to the extent **permitted by law from any** treatment facility, **other** treating practitioner, support group or other individual/facility involved in the education, treatment, monitoring **or** oversight of the practitioner, or maintained by a rehabilitation program for impaired practitioners. If bodily substance monitoring has been **ordered, the practitioner shall fully cooperate by responding** to a demand for **breath, blood, urine or other** sample **in** a timely manner and **providing the designated** sample.

NJ License #

ADDENDUM

Any licensee who is the subject of an order of the Board suspending, revoking or otherwise conditioning the license, shall provide the following information at the time that the order is signed, if it is entered by consent, or immediately after service of a fully executed order entered after a hearing. The information required here is necessary for the Board to fulfill its reporting obligations:

Social Security Number':_____

List the Name and Address of any and all Health Care Facilities with which you are affiliated:

List the Names and Address of any and all Health Maintenance Organizations with which you are affiliated:

Provide the names and addresses of every person with whom you are associated in your professional practice: (You may attach a blank sheet of stationery bearing this information).

¹ Pursuant to 45 CFR Subtitle A Section 61.7 and 45 CFR Subtitle A Section 60.8, the Board is required to obtain your Social Security Number and/or federal taxpayer identification number in order to discharge its responsibility to report adverse actions to the National Practitioner Data Bank and the HIP Data Bank.

NOTICE OF REPORTING PRACTICES OF BOARD
REGARDING DISCIPLINARY ACTIONS

Pursuant to N.J.S.A. 52:14B-3(3), all orders of the New Jersey State Board of Medical Examiners are available for public inspection. Should any inquiry be made concerning the status of a licensee, the inquirer will be informed of the existence of the order and a copy will be provided if requested. All evidentiary hearings, proceedings on motions or other applications which are conducted as public hearings and the record, including the transcript and documents marked in evidence, are available for public inspection, upon request.

Pursuant to 45 CFR Subtitle A 60.8, the Board is obligated to report to the National Practitioners Data Bank any action relating to a physician which is based on reasons relating to professional competence or professional conduct:

- (1) Which revokes or suspends (or otherwise restricts) a time,
- (2) Which censures, reprimands or places on probation,
- (3) Under which a license is surrendered.

Pursuant to 45 CFR Section 61.7, the Board is obligated to report to the Healthcare Integrity and Protection (HIP) Data Bank, any formal or official actions, such as revocation or suspension of a license (and the length of any such suspension), reprimand, censure or probation or any other loss of license or the right to apply for, or renew, a license of the provider, supplier, or practitioner, whether by operation of law, voluntary surrender, non-renewability, or otherwise, or any other negative action or finding by such Federal or State agency that is publicly available information.

Pursuant to N.J.S.A. 45:9-19.13, if the Board refuses to issue, suspends, revokes or otherwise places conditions on a license or permit, it is obligated to notify each licensed health care facility and health maintenance organization with which a licensee is affiliated and every other board licensee in this state with whom he or she is directly associated in private medical practice.

In accordance with an agreement with the Federation of State Medical Boards of the United States, a list of all disciplinary orders are provided to that organization on a monthly basis.

Within the month following entry of an order, a summary of the order will appear on the public agenda for the next monthly Board meeting and is forwarded to those members of the public requesting a copy. In addition, the same summary will appear in the minutes of that Board meeting, which are also made available to those requesting a copy.

Within the month following entry of an order, a summary of the order will appear in a Monthly Disciplinary Action Listing which is made available to those members of the public requesting a copy.

On a periodic basis the Board disseminates to its licensees a newsletter which includes a brief description of all of the orders entered by the Board.

From time to time, the Press Office of the Division of Consumer Affairs may issue releases including the summaries of the content of public orders.

Nothing herein is intended in any way to limit the Board, the Division or the Attorney General from disclosing any public document.